

REMARKS

Favorable reconsideration of this application, as presently amended, is respectfully requested.

Claim 2 has been amended to correct the informality noted on page 1 of the Office Action, while claim 29 has been amended to correct a spelling error.

Claims 1-49 are pending in the present application. Claims 34-49 have been withdrawn from consideration as being directed to a non-elected invention. Claims 1-33 were rejected under 35 USC 103(a) as being unpatentable over Prigent '971 in view of Ruskin '755 and Bowen et al. '943.

Referring to the rejection of the claims based on the above-noted references, it is believed that the pending claims are allowable over the combination of Prigent '971, Ruskin '755 and Bowen et al. '943.

As discussed on pages 14-16 of the present specification, a feature of the present invention relates to the concept of inspecting the film to determine if imperfections are on the film and determine the amount and extent of any imperfections on the film based on reference sensor readings. In a further feature of the invention as set forth of claim 1, the combination of the sensor and microprocessor of the present invention further enable determination of whether remedial measures can be taken to bring the film into compliance with digital film processing system requirements when compared to reference levels.

Claim 1 requires a defect detection system which includes a sensor that detects one or more imperfection on the film; and a microprocessor connected to the sensor that determines an amount and extent of imperfections on the film based on one or more reference sensor readings. The operational relationship between the microprocessor and sensor of the present invention further enable the determination of whether remedial actions can be taken to make the film having imperfections thereon suitable for processing. The reference to Prigent discloses a method and device for counting and characterizing defects on a photographic support. In Prigent, a processor 4 works in combination with a camera 2 to detect defects in the film. Once the defects are detected, a control device reverses the film a sufficient distance to position the area observed by the camera upstream of the defect detected, and the film is then driven in the initial direction at a speed which is less than the initial speed to enable a characterization of the defect. The reference to Prigent does not show or suggest that the processor and camera provide for a determination of whether remedial action can be taken to make the film having an imperfection thereon suitable for processing.

The reference to Ruskin and Bowen et al. do not correct the deficiencies of Prigent with respect to the claimed invention, since neither reference shows or suggests the features of the sensor and microprocessor in combination with determining whether remedial actions can be taken to make the film suitable for processing.

Further, absent Applicants' disclosure, one having ordinary skill in the art would not have combined the above-noted references to achieve the claimed invention, since the references do not show or suggest the elements of claim 1 as discussed above.

Accordingly, Prigent, Ruskin and Bowen et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claim 1.

Claim 2-13 depend from claim 1 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied references. For example, claim 2 sets forth that the image processing system is a digital film processing system, while claim 3 requires that an output device report the amount and extent of imperfections on the film. The Office Action suggests that it would be obvious to modify Prigent's system to be used in a digital film processing system, and also to provide for an output device, however, no reason as to why a modification as suggested in the Office Action would be made is provided. Accordingly, it is believed the above-noted dependent claims are also allowable.

Claim 14 relates to a defect detection system for use in an image processing system, which includes a roller for feeding film into a sensor; a reflective sensor for detecting imperfections on film; and a microprocessor connected to the sensor that determines an amount and extent of imperfections on the film. Claim 14 further requires a router for separating film that is suitable for film processing from a film that is not suitable for film processing, based on a comparison of actual sensor readings to reference sensor readings by the microprocessor. The applied references, whether considered individually or in combination, do not show or suggest the specific combination of features required by claim 14. The Office Action sets forth that the reference to Prigent does not disclose a router, and further sets forth that the claimed router would have been known. However, no reason as to why the claimed router would have been known or obvious to include in the Prigent system is provided in the Office Action. Further, there is no suggestion of any remedial action or separation of suitable and non-suitable film in the reference to Prigent. The claimed router feature is also not shown or suggested in Ruskin and Bowen et al. Therefore, absent Applicants' disclosure, one of ordinary skill in the art would not have

provided for a router as required by claim 14 in combination with the remaining elements of claim 14.

Accordingly, the references to Prigent, Ruskin and Bowen et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claim 14.

Claim 15-21 depend from claim 14 and set forth further unique features of the present invention which are also not believed to be shown or suggested in the applied references. For example, claim 17 requires that the detection system includes a tape dispenser to repair film; claim 18 requires that the sensor detect moisture level of the film; and claim 19 requires that the sensor detect the moisture level of the film and dry the film if it is above a predetermined moisture level. The Office Action on page 2 suggests that the utilization of a tape dispenser or correction with respect to moisture would have been obvious. However, there is not reason provided as to why these features given the teachings of Prigent and the remaining references would have been obvious. Applicants submit that absent their disclosure, one having ordinary skill in the art would not have provided for the specific features of the dependent claims in the Prigent system, and therefore, these claims are also believed to be allowable.

Claim 22 relates to a method of identifying film suitable for digital image processing which includes the step of routing film based on a sensor output depending on whether the film is suitable for digital film processing from film that is not suitable for digital processing. The same arguments as set forth above with respect to claim 14 also apply to claim 22; since none of the applied references show or suggest the specific combination of steps required by claim 1 with respect to determining imperfections on the film and routing film based on whether the film is suitable or not suitable for digital film processing.

Accordingly, Prigent, Ruskin and Bowen et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claim 22.

Claims 23-32 depend either directly or indirectly from claim 22 and set forth further unique features of the present invention which are also not believe to be shown or suggested in the applied references. Therefore, these claims are also believed to be allowable.

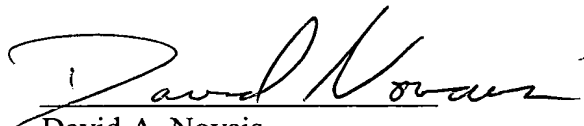
Claim 33 relates to an imaging system which includes a defect detector which is capable of detecting an imperfection on the film, determining an amount and the extent of the imperfection, and based on reference sensor readings, can determine whether remedial measures can be taken to the media to make it suitable for image processing. The arguments as noted above with respect to claim 1 also apply to claim 33 since the applied references are not believed to

show or suggest the specific features of the defect detector, defect sensor and microprocessor as required by claim 33. The applied references further do not suggest the claimed concept of determining whether the film having a defect can be repaired to the extent that it can be suitable for processing.

Accordingly, Prigent, Ruskin and Bowen et al., whether considered individually or in combination, are not believed to anticipate or make obvious the specific features required by claim 33.

In view of the foregoing comments, it is submitted that the inventions defined by each of claims 1-33 are patentable, and a favorable reconsideration of this application is therefore requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "David Novais", written over a horizontal line.

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